

SECTION 4 - Process for obtaining a ROW Excavation Permit

City of Bloomington Municipal code 12.08.090 Permit issuance.

It shall be the duty of the city engineer upon the filing of the petition, approved bond and the payment of money as required by this chapter, to issue to the petitioner a permit to make such excavation and do such work, and such permit shall describe the kind and location of the same. (Prior code § 23-22)

A. Application

The first step in obtaining a ROW Excavation Permit is to fill out and submit the application. An application can be obtained at the Engineering Department, or can be found online at:

<http://bloomington.in.gov/engineering/>

****Directions on how to fill out the application can be found in Appendix D.***

B. Submission of Traffic Plan

If the proposed work is to be done in a traffic lane, bike lane, or parking lane, or if any machinery or workers will occupy one, then a traffic plan must be submitted with the ROW Permit application. The process for developing a traffic plan is discussed below. The purpose of the traffic plan is to minimize the effect of the road closing or restriction on the community, and to ensure that the work zone is as safe as possible for pedestrians, motorists, bicyclists, and the persons performing the work.

Factors that will affect the approval of the traffic plan are the type of street that proposed work is to take place in (arterial, collector, local, or alley), whether there will be traffic restrictions or a complete closure, the time of day the work is to be performed, and necessary traffic control measures. If the submitted traffic plan is unsatisfactory, the applicant will be advised that the submitted plan needs revision.

The approval of the traffic plan is at the discretion of the City Engineer. The permit will not be issued until the traffic plan is deemed satisfactory.

City of Bloomington Municipal Code 12.08.140 Barricades--Danger lights.

All the proper barricades and danger lights shall be maintained by the party to whom the permit was issued under the provisions of this chapter until the opening has been repaired and replaced by the permittee. Street repairs on all principal and secondary arterial streets within the city shall be made in compliance with "method of marking" requirements of the Indiana Department of Highways unless otherwise approved in writing by the City Engineer. Other specific safety precautions may be required by the City Engineer. Such person shall be required to maintain such barricades and danger lights and other safety precautions until such repair and replacing has been inspected and approved by the City Engineer. (Ord. 86-49 § 1 (part), 1986: prior code § 23-27).

C. Standards for traffic control

The permit holder and the contractor performing the work shall be responsible for the safe and expeditious movement of vehicular and pedestrian traffic through the worksite and for the safety of the work force performing the work in the City of Bloomington Right-of-Way. Standards for traffic control for construction and maintenance operations in, on, under and over City of Bloomington Right-of-Ways are as follows:

1. Traffic control for construction and maintenance activities in, on, under and over the City of Bloomington Right-of-Way shall conform to and be in accordance with the Manual of Uniform Traffic Control Devices (MUTCD), latest edition, the Indiana supplement to the MUTCD, and all other applicable state and federal laws.
2. At a minimum, the traffic control measures shall conform to the following standards:
 - A. All traffic control devices shall:
 - (a) conform to the applicable specifications contained in the Manual on Uniform Traffic Control Devices, as well as the Indiana supplement to the MUTCD, in effect at the time. These manuals can be found online at:

<http://www.in.gov/dot/div/contracts/design/mutcd/mutcd.html>
 - (b) be installed prior to commencement of operations,

(c) be properly maintained and utilized during operation,
and

(d) be removed immediately upon completion of the work.

- B. Barricades and sign supports shall be constructed and erected in a workmanlike manner and should be constructed to yield upon impact.
 - C. Where illumination is required, street or highway lighting is not regarded as meeting this requirement.
 - D. For work in an arterial street, an arrowboard shall be placed near said work area in such a position that the flashing light or arrowboard is visible to approaching traffic in the lane in which such work is being performed for at least 1,000 feet if the speed limit in the work area is 30 mph or less or 1,500 feet if the speed limit is greater than 30 mph. In addition, traffic cones, barrels, delineators, or other types of channelizing devices shall be used to protect the public and the workers on the scene.
3. The City of Bloomington Engineering Department may suspend work or operations at any worksite which it determines endangers the traveling public or the workmen on the scene until the circumstance which endangers the traveling public or the workmen on the scene is corrected or eliminated.
4. The Permit Holder is responsible for notifying the appropriate agencies in the event that their work requires the closing of a traffic lane or an entire street. The agencies that shall be notified are at the discretion of the Inspector. The list includes, but is not limited to, the following:

Bloomington Fire Dept.: 332-9763

smiths@bloomington.in.gov
kerrr@bloomington.in.gov
franklij@bloomington.in.gov
barlowj@bloomington.in.gov

Bloomington Police Dept.: 339-4477

police-dispatch@bloomington.in.gov

Bloomington Transit: John McClure 332-5688

jmcclure@kiva.net

MCCSC: 330-7719
gniswand@mccsc.edu
cjohnson@mccsc.edu

Bloomington Hospital Ambulance Service: 353-5576
amcwhorter@bloomhealth.org
ddegroote@bloomhealth.org
aholland@bloomhealth.org
kemerick@bloomhealth.org

I. U. Bus Service: 855-8961 (voice mail 855-8384)
jhosler@indiana.edu

City of Bloomington, Engineering Department: 349-3417
boruffj@bloomington.in.gov
fultonc@bloomington.in.gov
engineering@bloomington.in.gov

D. How to Construct a Traffic Plan

1. What type of street is the ROW cut to take place on? If unsure, the City of Bloomington Engineering department can supply this information. Please remember, if a street is going to be closed, it is the responsibility of the party doing the work to inform affected property owners and the proper agencies of the closure. (A list of the proper agencies can be found in Appendix A)

Primary or Secondary Arterials – A general term denoting a highway or street primarily used by through traffic, usually on a continuous route or a highway designated as part of an arterial system. (See Appendix B for a list of primary and secondary arterial streets)

Please Note: There will be restrictions on the times that an arterial street can be restricted or closed. In general, an arterial street can only be closed or restricted between 9 am and 4 pm. The City of Bloomington Engineering Department may, at its discretion, require other conditions to be met on a case by case basis. For example, work in some areas might be allowed only between 10 pm and 6 am. All open cuts will be plated or backfilled and properly marked as a work area if the work will require more than one day. No restrictions or closures of any traffic lane will be permitted outside of the

specified times that work may be performed. Right of Way Excavation Permits for arterial streets require that all work be completed within 2 days, unless specific permission is granted by the City of Bloomington Engineering Department.

Primary or Secondary Collectors - In urban areas provides land access and traffic circulation within residential, commercial, and business areas and connects local streets to the arterial streets.

Local Streets – A low volume street. Right of Way Excavation Permits for local streets generally allow up to five days for work to be completed. At the discretion of the Engineering Department, and if the proper signage and barricades are used, trenches can be left open. Conditions that would effect this are traffic volume, the degree of restriction (parking lane closure, road completely closed, etc.), or the difficulty in plating or backfilling overnight due to the size of the trench. If it is desired that a road be closed or restricted overnight, it should be clearly stated in the traffic plan submitted with the Right of Way Excavation Permit application. Otherwise it will be assumed that there will be no overnight restrictions or closure.

Alley - Any alley maintained by The City of Bloomington, or any alley Right of Way.

2. Will there be a traffic lane, bike lane, shoulder, or parking lane restriction or closure?

“Yes” – Any work that requires a traffic lane, bike lane, shoulder, or parking lane closure or restriction requires that a traffic plan accompany the Right of Way Excavation Permit application. This traffic plan must comply with the Manual on Uniform Traffic Control Devices (MUTCD), and the Indiana supplement to the MUTCD. This manual is available online at:

<http://www.in.gov/dot/div/contracts/design/mutcd/mutcd.html>.

Any specific question can be answered by the City of Bloomington Engineering department. The traffic plan will be discussed in more detail below.

“No” - If there are no traffic lane, bike lane, parking lane, or shoulder restrictions a traffic plan is not necessary. **Remember:** Any machinery operating or persons working in a traffic lane, even for a short period of time, constitutes a restriction of that lane.

3. What type of restriction will there be in the roadway?

Complete road closure – A complete road closure requires three things. First, any road closure must be part of a traffic plan approved by the Engineering Department. Secondly, the party performing the work must notify the proper agencies that there will be a street closure (see Appendix A). Lastly, all proper signage, barricades, and detours must be in place before work begins. Any complete road closure is at the discretion of the City of Bloomington Engineering Department.

Restriction of traffic in one direction or lane – Any restriction of any traffic lanes must be approved by the Engineering Department. An approved Traffic Plan will be considered permission for the lane restrictions. All proper signage, barricades, and flaggers must be in place before work begins. **Remember:** Any machinery operating or persons working in a traffic lane, even for a short period of time, constitutes a restriction of that lane.

Restriction of parking lanes – If there is to be a restriction of a parking lane there are three requirements. The first is that any parking lane restriction should be part of the approved traffic plan submitted with the ROW permit application. The next is the posting of “No Parking” signs on the parking spaces to be closed. Police ordered “No Parking” signs are available from the Engineering Department and must be in place at least 24 hours prior to the space being closed. The notification of any party affected by a parking lane closure is the responsibility of the party receiving the permit. Lastly, any signage, barricades, cones, etc. that are required must be in place before work begins.

Restriction of bike lanes - Bike lanes are considered traffic lanes and shall be treated as such.

No lane restrictions – No traffic plan is required, but proper signage and barricades shall be used around the entire work area.

Remember: Any machinery operating or persons working in a traffic lane, even for a short period of time, constitutes a restriction of that lane.

4. Will there be any work in the shoulder, sidewalk, tree plot, or curb?

“Yes” - Any work in the shoulder, sidewalk, tree plot, or curb shall be marked or barricaded to prevent pedestrians from entering the area where there is work being performed, including the area surrounding any machinery operating in the work area.

“No” – Marking or barricading is only necessary if there is work being done in the street that would be a safety concern for pedestrians on the shoulder, sidewalk or tree plot.

Please Note: Equipment operating in a traffic lane, bike lane, or parking lane, even for a short period of time, is considered a lane restriction and requires that a traffic plan be filed and appropriate traffic control measures be taken.

5. Will the work affect anyone in the immediate area?

As a courtesy to those affected, the party performing the work shall notify anyone whose parking areas will be blocked, or whoever will have access to their residence restricted. This notice shall be given at least 48 hours in advance unless part of an emergency repair. In the event of an emergency repair, anyone whose vehicles will be blocked in or have access to their property restricted will be notified before work begins if possible.

6. Traffic Plan.

The traffic plan for a ROW cut or bore will require these elements:

- A.** Location of cut or bore.
- B.** A drawing of area where work is to be performed. The drawing should include a diagram of the surrounding streets, location of cut or bore, and the location of signs, barricades, and flaggers. The distances between the signs shall also be indicated.
- C.** The type of restriction should be indicated. The types of restrictions are complete closure, traffic lane closure, or parking lane closure.
- D.** The type of street in which work will be performed should be marked. Appendix B and Appendix C gives a listing of Arterial and Collector streets. These lists should be

checked to find out what type of street the work will take place in.

- E. The times that work will be performed will be listed on the traffic plan. Arterial or Collector streets have restrictions on the times that work may be performed. The time that work may be performed is at the discretion of the Engineering Department.
- F. The traffic plan will indicate whether the cut needs to remain open overnight. On an arterial or collector type street this will not be allowed unless specific permission is granted by the Engineering Department. Work in local streets and alleys can, in most cases, be left open provided that proper signage and barricades are in place. The City Engineer can require that cuts in local streets or alleys be plated or backfilled overnight. This information will be indicated on the Permit Form you receive when the permit is issued. **Please Note:** If is not indicated that the cut is to be left open overnight, it will be assumed that it will be plated or backfilled.
- G. If “No Parking” signs are required, it should be noted on the traffic plan. Police ordered “No Parking” are available from the Engineering Department and shall be in place 24 hours before work begins.

****Any questions regarding the submittal or approval of a traffic plan can be answered by the City of Bloomington Engineering Department.***

E. Bonding

A 2 year, \$3,000.00 warranty or surety bond, specifically written for street work in the City of Bloomington, must be posted by any contractor preparing to excavate in streets, alleys, sidewalks, or other public right-of-way. This bond must be valid at the date a ROW Excavation Permit is applied for, and must be written so as to remain in effect for a period of two years after the street cut repair is completed. Additional bonding may be required for large-scale projects. Proof of adequate bond must be on file at the City of Bloomington Engineering Department before a permit will be issued.

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 - (b) be installed prior to commencement of operations,